

**Foxborough Planning Board  
Meeting Minutes  
June 25, 2015  
Boyden Library**

**Members Present:** William Grieder, Ron Bressé, Gordon Greene, John Rhoads Alternate Gary Whitehouse

**Members Absent:** Kevin Weinfeld

**Also Present:** Staff Planner Gaby Jordan

**Planner Report**

Ms. Jordan reports that the applicant for the Change of Use at 59 Leonard Street has met with representatives of the church in regards to the fencing and they have settled on a six foot vinyl fence which Building Commissioner Bill Casbarra approved the location of. Ms. Jordan asks that the Board review the draft decision prepared.

A motion to approve the Change of Use decision for Waltham River's Edge at 59 Leonard Street was made by Mr. Bressé and seconded by Mr. Greene. The motion carried 4-0-0.

Ms. Jordan reported that there was a site visit by Melissa Cryan of the Executive Office of Energy and Environmental Affairs, the administrator of the PARC grant, at the Payson fields. She was very pleased with the work done there as well as the sign and has asked for pictures of the tot lot and the pavilion once they are completed. Chris Gallagher has stated that the milling work should be completed by mid-July after which the DPW or Pacella Excavating will be spreading it.

An application has been received for a Change of Use at the former Knights of Columbus building to a ballet school.

Kathy McCabe reminds the Board that her contract expires on June 30<sup>th</sup> and she would like an extension to October 31<sup>st</sup> as she is still awaiting comments on the papers submitted in May. She would like to set up a meeting with the Board outside of a regular meeting to discuss these papers.

A motion to grant an extension to McCabe Enterprises to complete the Master Plan to October 31, 2015 was made by Mr. Bressé and seconded by Mr. Greene. The motion carried 5-0-0.

Ms. Jordan has spoken with Town Manager Bill Keegan and Asst. Town Manager Mary Beth Bernard in regards to the hiring process for a new Town Planner. They would like to meet with the Board after the holiday weekend.

Ms. Jordan has not been able to get in touch with Mr. Treannie regarding Sumner Estates; there are still quite a few outstanding items to be completed. The Board would like the process of taking the bond to be started, bids for the work to be completed and a priority list. Ms. Jordan talked to the Finance Director and since the bond is not town funds the bidding process is not needed.

### **Form A Application – 3 & 5 Congdon Circle**

Bill Buckley of Bay Colony explained that they are changing lot lines between the two lots on Congdon Circle. This will result in a better type of home being able to be built on the property and an increase in the setbacks from the lot lines. It is an equal area swap under common ownership.

A motion to approve the Form A for 3 & 5 Congdon Circle was made by Mr. Greene and seconded by Mr. Rhoads. The motion carried 5-0-0.

### **Continued Public Hearing – Special Permit – Temporary Parking Lot – 16 Washington Street**

The Board of Selectmen has been asked about expansions on other temporary lots and they have asked Bill Casbarra for a letter addressing this issue and are also awaiting the results of this hearing.

Mr. Casbarra explained that any temporary lot approved before the 1994 Town Meeting vote that wanted to expand would be considered an increase in a non-conforming use and would have to go before the Zoning Board of Appeals for an alteration and then before the Board of Selectmen for a license. Any temporary lot approved after the 1994 Town Meeting vote that wanted to expand would need to come before the Planning Board for a Special Permit and then to the Board of Selectmen for the license.

Mike Stanton explained that this lot is an existing lot that he would like to expand. The new spaces would be gravel. Mr. Rhoads asked if there have been any issues with the operation in the past. Ms. Jordan has checked with the Building Commissioner and they have no complaints on file.

A motion to close the Public Hearing was made by Mr. Rhoads and seconded by Mr. Greene. The motion carried 4-0-0.

A motion to approve the requested Special Permit for a Temporary Parking Lot at 16 Washington Street with the addition of thirty four spaces for a total of one hundred and twenty three spaces with standard conditions was made by Mr. Rhoads and seconded by Mr. Greene. The motion carried 4-0-0.

### **Continued Public Hearing – Site Plan Review – Town Hall 40 South Street**

Bill Buckley of Bay Colony has submitted a modified site plan reflecting the changes as a result of previous hearings and discussions with the neighbors.

The neighbors has issues with the screening and buffering so an eight foot white vinyl fence is being proposed along the back of the property; the large maple on their property will be removed and the smaller trees will be pruned or removed, this can be included as a condition of approval. The rear gate can be removed in favor of a row of hedges as long as it doesn't cross the back of the garage, the cooling tower will be located on the north side of the building away from the neighbors with plantings around it.

Mr. Rhoads had issues with the drainage so they are proposing to upsize one of the catch basins to a double grate catch basin and the curbing has been changed to capture the runoff from the parking lot. Recharge has been increased by converting one of the pipe runs to perforated pipe in a crushed stone envelope.

The future sign has been added to the plans and the entrance to Liberty Place has been modified to decrease the slope coming from the site. They will agree to a condition that the contractor must notify the

abutters before any utility work is performed and this will be included in their contracts. The lighting will be on a timer.

The Building commissioner agreed with Mr. Rhoads issue about the abandonment of Liberty Place and will require that the Town Hall lot and the Paine School lot be combined prior to receiving a building permit to avoid creating a lot with no frontage.

Mr. Damaesschalck requested that the highest arborvitaes available be used for the hedges; they would rather have the screening than the existing gate.

Carl Barry of 48 South Street asked when the contracts for the utilities would be done. Mr. Buckley stated that the specs are being written now. Mr. Barry is concerned with runoff coming into his yard.

Dick Heydecker asked if there would be enough parking as the numbers have fluctuated through the process. Mr. Casbarra stated that the building meets the current parking specifications for required parking spaces and complies with minimum regulations; on street parking can also be used in the calculations.

A motion to close the Public Hearing was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 4-0-0.

The Board reviewed the prepared draft decision.

A motion to approve the Site Plan Approval decision as amended was made by Mr. Bressé and seconded by Mr. Greene. The motion carried 4-0-0.

### **Domain 40B Project Presentation**

Atty. Frank Spillane, Engineer Bill Buckley and David Hall of the Hanover Corporation came before the Board in regards to a 248 unit 40B project currently before the Zoning Board of Appeals.

Atty. Spillane explained that the site is 18.14 acres which is undeveloped right now, there is 1 acre of wetland that will not be disturbed; the site is split into two zones, R40 and Highway Business. They have frontage on Fisher Street as well as some frontage on South High Street. They are proposing five four-story buildings as well as a clubhouse/office building and a pool. They are proposing 420 parking spaces, which is a reduction from the 447 originally proposed to provide more green space. They have added bike parking areas to some of the garages.

The site will contain 122 1-bedroom apartments, 102 2-bedroom apartments and 24 3-bedroom apartments; some of the units will be handicapped accessible. One third of the site will be impervious. Mass Housing liked the layout with the green buffer around the site. The four direct abutters on South High Street are being granted additional land for additional buffering to their properties. They will be installing a six foot high fence bordering the Comfort Inn and a seven foot high fence bordering South High Street.

They are proposing a boulevard entryway with an emergency access further up Fisher Street; the elevation is too steep to use South High Street for access.

They met with town departments originally in December and also went to Conservation for an ORAD in December. There was a site walk with Mass Housing as well as neighborhood meetings and a MEPA

hearing. They have had two hearings before the Board of Appeals with the next hearing being held on June 30<sup>th</sup>.

Traffic Consultant Jeff Dirk was not available this evening so Mr. Spillane reviewed his comments in regards to trip generation. They are working on mitigation in regards to the timing of the lights at the intersection with Route 140 and the installation of an opticom system for Public Safety.

If this project is approved, it will bring the town over the state's 10 percent requirement for affordable housing.

Bill Buckley reviewed the engineering of the project. It will be served by municipal water and sewer through a 12" main on Fisher Street; the water line will be looped to South High Street. The Fire Department has reviewed the location of the emergency access and approved it; it will provide access for the future ladder truck.

Stormwater will be handled through roof drains and detention basins. The whole site slopes downward from elevation 260 to 210; they are proposing to install a berm to create a dam near the detention basin for infiltration.

The applicants made a significant effort to save trees and did a significant tree survey and tagged the trees to be saved. Mr. Buckley noted that they will also add additional trees for screening of the neighbors.

The Board had questions on the stacking of traffic on Fisher Street and asked if two lanes could be used to unload the traffic to Route 140 quicker or even three lanes with two lanes turning left and one turning right. Mr. Dirk had commented that there is not going to be enough traffic volume to require turning lanes; Mass DOT would also need to approve turning lanes as Route 140 is a state road.

Mr. Greene commented that he was pleased with the Lodge 40B and thinks this site will be just as good looking but is concerned about the height of the buildings and feels it is not a compatible look with the neighborhood.

Mr. Grieder commented that more parking may be needed especially for the three bedroom units; the Lodge does not have three bedroom units; he is also concerned that there is enough parking for each building in the area of the building.

Mr. Bressé and Mr. Rhoads both had concerns with the height and the massing of the site.

John McDonald of 4 Robert Street commented that the Hanover Company does not own the Lodge anymore and he is afraid they do not have a long term interest in the community. The neighbors are concerned with the density of the project as well as the four story buildings. They live in a neighborhood of ranch and raised ranch homes and feel that Fisher Street is already a problem.

Ms. Wason had prepared a draft comment letter for the Zoning Board previously, the Board reviewed this letter. It will be finalized and sent to the Zoning Board of Appeals.

### **Public Hearing – Frontage Waiver and Form A Application – Washington Street**

Ken Yantz of FXP came before the Board for a frontage waiver. They have already received approval for a Frontage Variance from the Zoning Board. This site is on Route 1 near the town water reuse tank. The land is split into two lots and has access through an existing accessway. This waiver is for the smaller lot

(2.41 acres) which is being granted via an easement to National Grid for an unmanned electrical substation. This lot will have no frontage on Route 1 as the adjoining land is owned by the state. The substation will help to increase capacity and reliability in the electric service for the town. They are proposing no changes to the accessway. Mr. Yantz noted that Verizon will also be using the accessway.

Building Commissioner Bill Casbarra noted that this is same process that was used for the reuse tank, a Variance from the ZBA then a frontage waiver from the Planning Board.

The Fire Department has no issues and one abutter, Mike Seigh, came to the office to express his support for the project.

Mr. Casbarra noted that he had spoken with Ms. Wason about this and they determined that no Site Plan Approval would be needed but a waiver to the Site Plan requirement to comply with Zoning would be necessary.

A motion to close the Public Hearing was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 4-0-0.

A motion to grant the Frontage Waiver was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 4-0-0.

A motion to approve the Form A application and plan was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 4-0-0.

The Board noted that a Site Plan Waiver was not asked for as part of this application and will need to be scheduled. This will be heard on July 23, 2015 at 7:15 p.m.

#### **Request for Minor Modification to Site Plan – 119 Washington Street**

Bill Buckley represented the applicant, the Kraft Organization. This is a minor change to the plans that is being done at the request of Mass DOT in regards to the drainage and they also had to add a handicap ramp. There will be no changes to the parking, trees, fencing, etc.; the only change is to the stormwater system relative to the catch basins at Route 140 which now will be pumped to the stormwater basin versus connecting to the state owned drain on Route 140. .

A motion to close the Public Hearing was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 4-0-0.

A motion to approve the proposed changes to the Stormwater system as a Minor Modification was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 4-0-0.

The meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Diana Gray

Approved by: William Grieder

Date: 11/12/15